

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

LIBERTAS CLASSICAL ASSOCIATION,	)	
Plaintiff,	)	
	)	No. 1:20-cv-997
-v-	)	
	)	Honorable Paul L. Maloney
GRETCHEN WHITMER, <i>et al.</i> ,	)	
Defendants.	)	
	)	

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**ORDER FOR BRIEFS AND NOTICE OF HEARING FOR PRELIMINARY  
INJUNCTION**

Plaintiff Libertas Classical Association filed this lawsuit and seeks a preliminary injunction. Based on a pre-lawsuit email exchange between counsel, the Court required Defendants to file a statement indicating their intent to enforce, against Plaintiff, the Public Health Emergency Orders issued by Robert Gordon in early October. Defendants have informed the Court that they intend to enforce the Emergency Order and they too would like a preliminary injunction.

The Court is well aware of the fluid and evolving nature of this situation. Teachers at the school have tested positive to COVID-19. The parties dispute whether students and other staff have been exposed and whether certain contact tracing measures are appropriate. Libertas generally opposes the various social distancing, gathering size limitations and facial covering requirements, on religious grounds and also on state-law grounds. And, Ottawa County has threatened to shut Libertas down if Libertas does not comply with several orders issued by the Ottawa County Board of Public Health.

The Court will expedite the briefing schedule and a hearing for the request for a preliminary injunction. As described above, the situation has evolved since Plaintiff filed its request for a preliminary injunction on October 18. Although Defendants have not filed a motion, Defendants have unequivocally asked for one. (“ . . . Ms. Mansaray, in her official capacity is moving this Court for a preliminary injunction . . . .” PageID.174.)

Both parties must file a motion and supporting brief for a preliminary injunction by 12:00 p.m. (noon) on Monday, October 26, 2020. Both parties must file a responsive brief by 12:00 p.m. (noon) on Tuesday, October 27, 2020. The Court will hold a hearing on the cross motions on Wednesday, October 28, 2020, at 1:30 p.m. at the federal courthouse in Kalamazoo, Michigan, 410 W. Michigan Ave.

**IT IS SO ORDERED.**

Date: October 22, 2020

/s/ Paul L. Maloney  
Paul L. Maloney  
United States District Judge